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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,980	02/25/2002	David M. Chapin	D/A2013	7016

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EXAMINER

PAPANIKOLAOU, ATHANASIOS T

ART UNIT	PAPER NUMBER
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2627

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/082,980	Applicant(s) CHAPIN ET AL.	
	Examiner Athanasios Tom Papanikolaou	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/25/02 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/25/02 & 8/5/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The references listed in the Information Disclosure Statement(s) submitted on 2/25/02 have been considered by the examiner (see attached PTO-1449).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Lomas et al. (U.S. Patent Application Publication 2002/0097421 A1).

Regarding claim 1, Lomas discloses **a system for installing a printer driver for a printer connected on a network, comprising: a printer driver for the printer (paragraph 13); an installer, located on a host device connected on the network, responsive to activation, for listening for the printer's identification, and responsive to receipt of the printer's identification, for installing the printer driver on the host device** (see Fig. 1, combine the functionality of the print server with the

client); and a beacon, located at the printer, responsive to an input, for broadcasting the printer's identification on the network (paragraph 14).

Regarding claim 2, Lomas discloses the system of claim 1 stated above and further discloses wherein the printer's identification comprises the printer's model name and distinguishing network information (paragraph 14).

Regarding claim 3, Lomas discloses the system of claim 1 stated above and further discloses wherein the host device comprises a personal computer (see Fig. 1, element 14; the device includes a processor, memory, and Windows operating system which inherently represent the key components of personal computers).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-11 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Lomas in view of Parry (U.S. Patent Application Publication 2002/0097421 A1).

Regarding claim 4, Lomas discloses the system of claim 1 as stated above.

Lomas does not disclose expressly wherein the input comprises a user input at the printer.

Parry discloses **wherein the input comprises a user input at the printer** (paragraph 71, lines 20 through 24).

Lomas and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas's system include a user initiating a driver install at a printer, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas's system would allow a user to initiate a driver install process for a client , in case the printer does not reply to a client request. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas to obtain the invention in claim 4.

Regarding claim 5, Lomas discloses **the system of claim 1** as stated above.

Lomas does not disclose expressly **wherein the printer includes a web server, and responsive to the input, the beacon causes the web server to broadcast the printer's identification on the network.**

Kimbell discloses **wherein the printer includes a web server, and responsive to the input, the beacon causes the web server to broadcast the printer's identification on the network** (paragraph 71, lines 20 through 27).

Lomas and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas's system include a printer with an embedded web server, as taught by Parry. The suggestion or motivation

for doing so would have been that Lomas's system would include a means of displaying an interactive web page to a client computer with information of the printer. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas to obtain the invention in claim 5.

Regarding claim 6, Lomas discloses **the system of claim 1** as stated above.

Lomas does not disclose expressly **wherein the printer's identification comprises a data packet including the printer's IP address on the network.**

Kimbell discloses **wherein the printer's identification comprises a data packet including the printer's IP address on the network** (paragraph 14).

Lomas and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas's system identify a printer on a network using a data packet with the printer's IP address, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas's system would conform with the standard protocol of IP addressing to identify a networked device. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas to obtain the invention in claim 6.

Regarding claim 7, Lomas discloses **the system of claim 1** as stated above.

Lomas does not disclose expressly **wherein the printer's identification comprises a data packet including the printer's network name on the network.**

Kimbell discloses **wherein the printer's identification comprises a data packet including the printer's network name on the network** (paragraph 14).

Lomas and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas's system identify a printer on a network using a data packet with the printer's network name, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas's system could utilize common procedures of device name resolution to IP address to identify a networked device. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas to obtain the invention in claim 7.

Regarding claim 8, Lomas discloses **the system of claim 1** as stated above.

Lomas does not disclose expressly **wherein the printer is located on a subnet on the network and wherein the beacon broadcasts the printer's model name and distinguishing network information to all listeners on the printer's subnet and to all listeners on any other subnets known to the printer.**

Kimbell discloses **wherein the printer is located on a subnet on the network and wherein the beacon broadcasts the printer's model name and distinguishing network information to all listeners on the printer's subnet and to all listeners on any other subnets known to the printer** (see Fig. 2 and paragraphs 43-44; data can be transferred among a printer and workstations on various networks and subnets; for the devices to communicate over a network it is common to provide a sending device's

network information, including the devices network name, to potential receiving devices).

Lomas and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas's system broadcast a printer's network information to clients on its own subnet and other networks, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas's system could communicate with several defices on various networks. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas to obtain the invention in claim 8.

Regarding claim 9, Lomas discloses **the system of claim 1** as stated above.

Lomas does not disclose expressly **wherein the installer is downloaded onto the host device from a storage location**.

Kimbell discloses **wherein the installer is downloaded onto the host device from a storage location** (paragraph 71, lines 20 through 27).

Lomas and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas's system download the installer onto the host device from a storage location, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas's system could have flexibility in obtaining an installer from various locations. Therefore, it would have been

obvious to combine the teachings of Parry with the system of Lomas to obtain the invention in claim 9.

Regarding claim 10, Lomas discloses **the system of claim 1** as stated above.

Lomas does not disclose expressly **wherein the installer is downloaded onto the host device from a link in a web page generated by a web server on the network.**

Kimbell discloses **wherein the installer is downloaded onto the host device from a link in a web page generated by a web server on the network** (paragraph 71, lines 27 through 31).

Lomas and Parry are combinable because they are from the same field of endeavor namely processing data for printers. At the time of the invention it would have been obvious to a person of ordinary skill in the art to have Lomas's system download the installer onto the host device from a link in web page generated by a web server, as taught by Parry. The suggestion or motivation for doing so would have been that Lomas's system could have a user manually select an installer from a web page displayed on their desktop. Therefore, it would have been obvious to combine the teachings of Parry with the system of Lomas to obtain the invention in claim 10.

Regarding claim 11, Lomas and Parry disclose **the limitations of claim 10** as stated above.

Parry further discloses **wherein the web server is resident on another printer on the network** (paragraph 17; the art teaches methods of accessing, controlling, and managing peripheral *devices*, such as printing devices; furthermore, a printing device comprises a printer incorporating a web server on a network; therefore, several printers with embedded web servers can be on a network).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Athanasios Tom Papanikolaou whose telephone number is (571)272-7953. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A.P.

JOSEPH R. POKRZYWA
PRIMARY EXAMINER
ART UNIT 2622
